

# Constitutional referendums

In referendums held in the 1890s, the people of the six colonies of Australia voted 'yes' to federation under the Australian Constitution. On 1 January 1901 the six colonies became the six states of the Commonwealth of Australia and the Federal Parliament was formed as described in the Constitution.

Since that time, and in accordance with the Australian Constitution, all Australian citizens vote in referendums to approve or reject any proposed changes to the Constitution. The Constitution can only be changed by this process.



# The Australian Constitution

## Alteration process

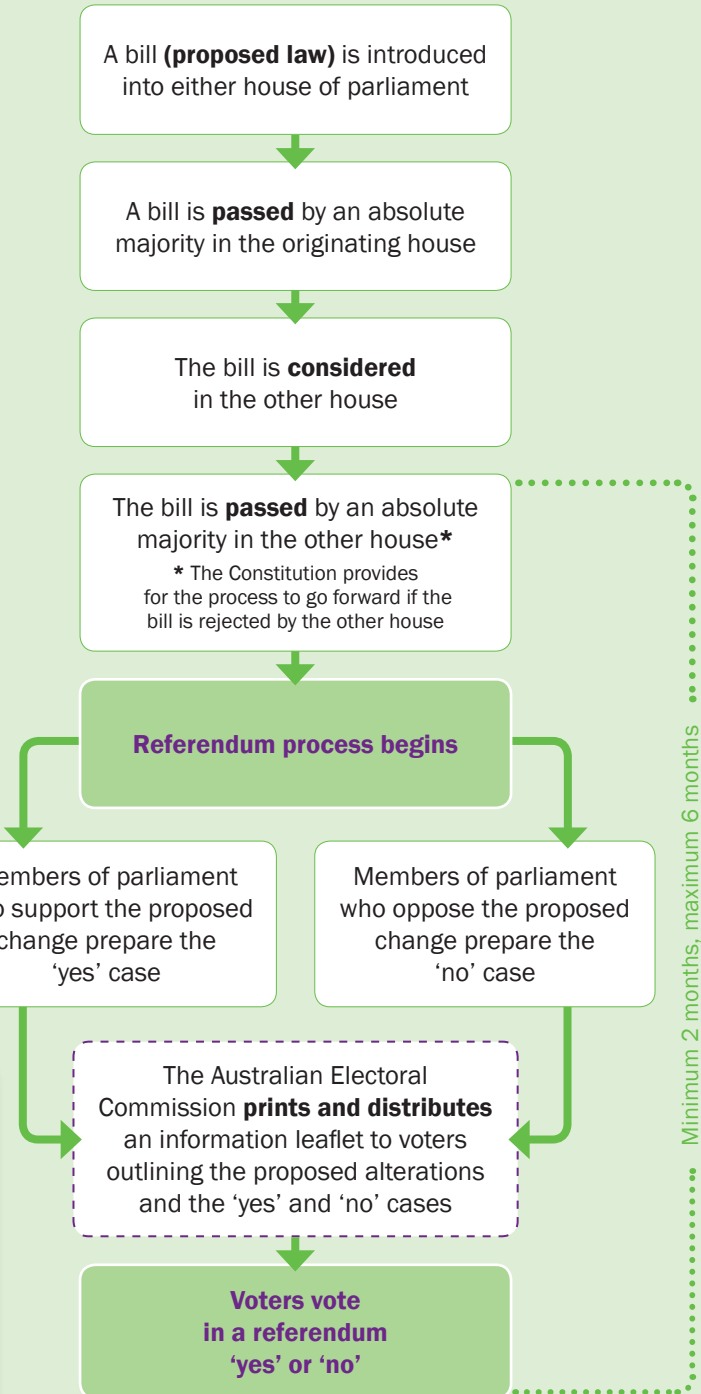
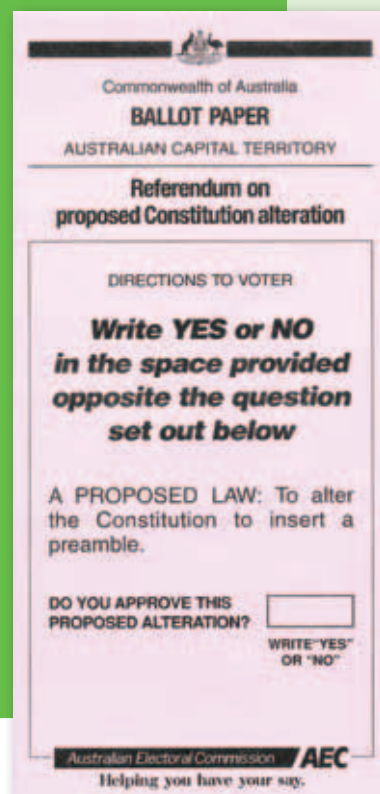
Before a referendum can be held, a bill outlining the proposed change to the Constitution must be passed by both houses of the Federal Parliament or alternatively passed twice in either the House of Representatives or the Senate. The referendum must be held no sooner than two months and no later than six months after the bill is passed.

The Governor-General issues a writ for a referendum which, like an election, must be held on a Saturday. It can be held in conjunction with an ordinary election but it can also be held separately.

In the four weeks after the bill is passed by parliament, the 'yes' case is prepared by members and senators who support the proposed changes. The 'no' case is prepared by the members and senators who oppose the proposed changes.

To ensure voters are well informed on the proposed changes to the Constitution, the Australian Electoral Commission then organises the printing and distribution of information booklets to every elector outlining the proposed alterations to the Constitution and the 'yes' and 'no' cases provided by parliament.

There can be several proposed changes on a referendum ballot paper for voters to consider. If voters agree with a proposed change, they write 'yes' in the square on the ballot paper. If they do not agree with a proposed change, they write 'no' in the square.



Commonwealth of Australia  
Ballot Paper for the 1999  
Constitutional Referendum.



# The Australian Constitution – Referendums


## Double majority

To become law, the proposed change to the Constitution must be approved by a 'double majority' of electors voting for the changes. That is:

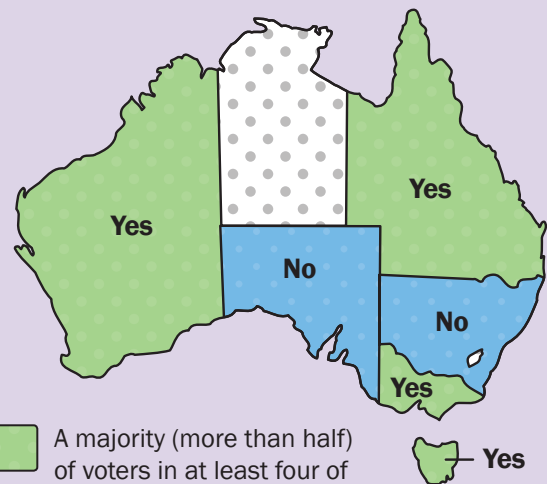
- a national majority of electors from all states and territories, and
- a majority of electors in a majority of the states (i.e. at least four of the six states).


### A referendum is passed when:



 A national majority (more than half) of voters from all states and territories vote 'yes'.

and




 A majority (more than half) of voters in at least four of the six states vote 'yes'.



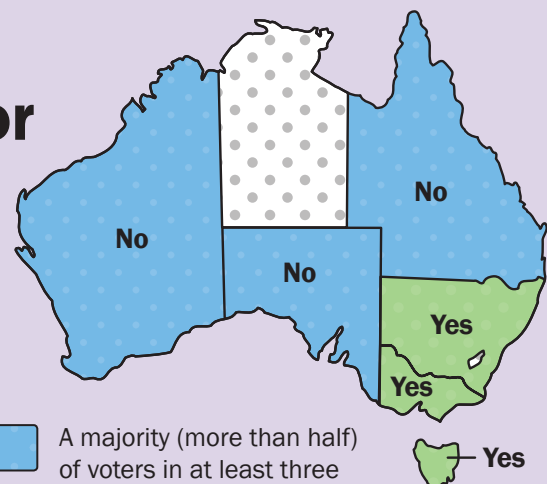
The votes of people living in the ACT, the NT and any of Australia's external territories count towards the national majority only.


### A referendum is not passed when:



 A national majority (more than half) of voters from all states and territories vote 'no'.

and/or



 A majority (more than half) of voters in at least three states vote 'no'.

# Constitutional referendums 1901–1999

Since Federation there have been 44 proposals for constitutional change put to Australian electors. Only 8 have been approved.

SUBJECT	DATE OF REFERENDUMS	STATES IN WHICH A MAJORITY OF ELECTORS VOTED IN FAVOUR	PERCENTAGE OF VOTERS IN FAVOUR
<b>Senate Elections</b>	<b>12.12.1906</b>	<b>All</b>	<b>82.65</b>
Finance	13.4.1910	Qld, WA, Tas	49.04
<b>State Debts</b>	<b>13.4.1910</b>	<b>All but NSW</b>	<b>54.95</b>
Legislative Powers	26.4.1911	WA	39.42
Monopolies	26.4.1911	WA	39.89
Trade and Commerce	31.5.1913	Qld, SA, WA	49.38
Corporations	31.5.1913	Qld, SA, WA	49.33
Industrial Matters	31.5.1913	Qld, SA, WA	49.33
Railway Disputes	31.5.1913	Qld, SA, WA	49.13
Trusts	31.5.1913	Qld, SA, WA	49.78
Nationalisation of Monopolies	31.5.1913	Qld, SA, WA	49.33
Legislative Powers	13.12.1919	Vic, Qld, WA	49.65
Nationalisation of Monopolies	13.12.1919	Vic, Qld, WA	48.64
Industry and Commerce	4.9.1926	NSW, Qld	43.50
Essential Services	4.9.1926	NSW, Qld	42.80
<b>State Debts</b>	<b>17.11.1928</b>	<b>All</b>	<b>74.30</b>
Aviation	6.3.1937	Vic, Qld	53.56
Marketing	6.3.1937	None	36.26
Post-War Reconstruction and Democratic Rights	19.8.1944	SA, WA	45.99
<b>Social Services</b>	<b>28.9.1946</b>	<b>All</b>	<b>54.39</b>
Organised Marketing of Primary Products	28.9.1946	NSW, Vic, WA	50.57
Industrial Employment	28.9.1946	NSW, Vic, WA	50.30
Rent and Prices	29.5.1948	None	40.66
Power to deal with Communists and Communism	22.9.1951	Qld, WA, Tas	49.44
Parliament	27.5.1967	NSW	40.25
<b>Aborigines</b>	<b>27.5.1967</b>	<b>All</b>	<b>90.77</b>
Prices	8.12.1973	None	43.81
Incomes	8.12.1973	None	34.42
Simultaneous Elections	18.5.1974	NSW	48.30
Mode of Altering the Constitution	18.5.1974	NSW	47.99
Democratic Elections	18.5.1974	NSW	47.20
Local Government Bodies	18.5.1974	NSW	46.85
Simultaneous Elections	21.5.1977	NSW, Vic, SA	62.20
<b>Senate Casual Vacancies</b>	<b>21.5.1977</b>	<b>All</b>	<b>73.32</b>
<b>Territory Voting in Referendums</b>	<b>21.5.1977</b>	<b>All</b>	<b>77.72</b>
<b>Retirement of Judges</b>	<b>21.5.1977</b>	<b>All</b>	<b>80.10</b>
Terms of Senators	1.12.1984	NSW, Vic	50.64
Interchange of Powers	1.12.1984	None	47.06
Parliamentary Terms	3.9.1988	None	32.91
Fair Elections	3.9.1988	None	37.59
Local Government	3.9.1988	None	33.61
Rights and Freedoms	3.9.1988	None	30.79
Republic	6.11.1999	None	45.13
Preamble	6.11.1999	None	39.34